

Attorney Docket No. 50623.60

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Examiner: Victor X. Nguyen

Syed F.A. Hossainy

Serial No.: 09/966,421 Art Unit: 3731

Filed: September 27, 2001

Title: Remote Activation of an Implantable Device

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Commissioner for Patents
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**COMMUNICATION REGARDING RE-SUBMISSION OF
INFORMATION DISCLOSURE STATEMENT**

Dear Examiner Nguyen:

On August 29, 2003, the Examiner mailed an Office Action that included a copy of the form PTO-1449 that was filed with an Information Disclosure Statement on December 31, 2001. The Examiner did not initial two of the references listed on the PTO-1449. According to the Examiner, the file did not include the two references. The Examiner has asked Applicant to provide copies of the references.

Please find enclosed (1) a copy of the Information Disclosure Statement along with the form PTO-1449 filed on December 31, 2001; (2) a copy of the form PTO-1449 filed with the August 29, 2003 Office Action; and (3) copies of the Oh et al. and Shershen et al. references. The Examiner is requested to make this information of official record in the application.

The re-submission of the enclosed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant reserves the right to dispute the listed documents as prior art during examination. Furthermore, Applicant does not waive any right to take any action that would be appropriate to antedate or

SanFrancisco/116536.1

PAGE 3/21 * RCVD AT 3/25/2005 4:39:30 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/1 * DNIS:8729306 * CSID:415 393 9887 * DURATION (mm:ss):07:42

otherwise remove the documents as a competent reference against the claims of the present application. The re-submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

The Examiner is requested to initial the enclosed Form PTO-1449 and return a copy thereof to the undersigned.

The present Information Disclosure Statement is being re-submitted. Therefore, no certification under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required. However, if it is found necessary, please charge Deposit Account No. 07-1850 in the amount of \$180.00 as specified in 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p).

Date: March 25, 2005

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Respectfully submitted,



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March 25, 2005

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Number of Pages (including cover): **21**

To: Examiner Victor X. Nguyen

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COMPANY: USPTO, Art Unit 3731

PHONE No.: (571) 272-4699

FROM: Paul J. Meyer, Jr.

DIRECT DIAL No.: +1.415.954.0345

E-MAIL: pmeyer@ssd.com

RE: U.S. Patent Application Serial No. 09/966,421
Entitled: Remote Activation of an Implantable Device
Our File 50623.60

Message:

As you requested, please find attached the two missing references from the IDS filed on 12/31/01.

If you have any questions regarding the attached, please let me know.

Paul J. Meyer, Jr.

CONFIDENTIALITY NOTICE:

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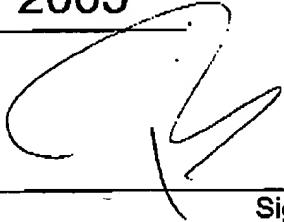
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Communication Regarding Re-submission of Information Disclosure Statement

Copy of Form PTO 1449 signed by the Examiner and dated 8/5/03

Copy of Ref. L, entitled "Research on annihilation of cancer cells by glass-ceramics for cancer treatment with external magnetic field. I. Preparation and cytotoxicity"

Copy of Ref. M, entitled "Temperature-sensitive polymer-nanoshell composites for photothermally modulated drug delivery"

• Copy of return postcard date stamped 1/22/2002 by USPTO

Copy of Information Disclosure Statement and attached Form PTO 1449 filed 12/31/2001

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Date Mailed: December 31, 2001	By: CKK/jes	Docket No.: 50623.60
Serial No.: 09/965,421		Filed: September 27, 2001
Applicant: Syed F.A. Hossainy		
Title: Remote Activation of an Implantable Device		

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Utility Patent Application
- Drawings Informal Sheets
- Deposit Account Authorization 07-1850
- Oath/Declaration/Power of Attorney (executed)
- Recordation Cover Sheet (In Duplicate)
- Assignment
- Continued Prosecution Application (§1.53(d))
- Provisional Application _____ Pages
- Design Application _____ Pages _____ Drawings
- Request For Status of Application
- Check for

- Preliminary Amendment _____ Pgs.
- Petition for Extension of Time
- Certificate of Mailing
- Transmittal Letter
- Request for Corrected Filing Receipt
- Copy of Filing Receipt Marked in Red Ink
- Issue Fee Transmittal with PTO-85b
- Copy of PTO-1533, Notice to File Missing Parts
- Info. Disclosure Statement & PTO-1449/B Refs
- Copy of Official Filing Receipt
- Other

